

Congress of the United States

House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION

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Washington, DC 20515-6157

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February 16, 2006

Co-sponsor H.R. 4140 to Safeguard the Vote of Katrina and Rita Survivors

Dear Colleague:

Please join me in co-sponsoring a bill to assist the affected states in rebuilding the voting infrastructure that was damaged as a result of the hurricanes along the Gulf Coast. Please see the attached letter from the Louisiana, Mississippi, and Alabama Secretary of States, which details the need for us to protect the voting rights of the survivors, millions of whom expect to vote in local primaries in just a few short months.

I have introduced legislation to protect the voting rights of the citizens affected by Hurricanes Katrina and Rita. H.R. 4140, "Ensuring the Vote for Victims of Hurricanes Katrina and Rita Act of 2005," would authorize the Election Assistance Commission (EAC) to provide up to \$50 million in grants to the affected states to restore and replace supplies, materials, and equipment used in the administration of elections which were damaged as a result of these devastating storms.

For more information or to co-sponsor H.R. 4140, please contact me or my Committee on House Administration's Elections Counsel, Thomas Hicks, at (202) 225-2061.

All the best,



Juanita Millender-McDonald
Ranking Member



NASS

National Association
of Secretaries of State

Monday, February 06, 2006

The Honorable Susan M. Collins, Chair
The Honorable Joseph I. Lieberman, Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, D.C. 20510

The Honorable Peter King, Chair
The Honorable Bennie G. Thompson, Ranking Member
Committee on Homeland Security
United States House of Representatives
Washington, D.C. 20515

The Honorable Trent Lott, Chair
The Honorable Christopher J. Dodd, Ranking Member
Committee on Rules and Administration
United States Senate
Washington, D.C. 20510

The Honorable Vernon Elders, Chair
The Honorable Juanita Millender-McDonald, Ranking Member
Committee on House Administration
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Collins, Ranking Member Lieberman, Chairman King, Ranking Member Thompson, Chairman Lott, Ranking Member Dodd, Chairman Ehlers and Ranking Member Millender-McDonald:

On August 29, 2005 Americans in the Gulf Coast suffered the most devastating natural disaster in our nation's history. Since that time, officials at all levels of government have been devoted to helping our citizens rebuild and move forward. As Alabamans, Louisianans and Mississippians, we are grateful for the hope, service and resources that have poured into our region and we are heartened by the hospitality of Americans in the great cities across the country who have welcomed our fellow citizens in this time of unprecedented need. We write your committees to request necessary assistance in securing the rights of our region's voters. Because a transparent and accountable democratic infrastructure is the backbone of any rebuilding effort, we are asking for your assistance in securing \$10 million to ensure meaningful elections.

As we move in our common struggle to keep the Gulf Coast vibrant in the wake of disaster, we must provide our citizens with the opportunity to participate in the critical and difficult decision making that each of our states face in the coming months and years.

We are honored to serve as Secretaries of State and Chief Election Officials and humbled by our solemn duty to safeguard our citizens' most fundamental right as Americans – the right to vote. The mandates of our office require that we provide all eligible voters, both those that have returned to their homes already and those that are temporarily residing elsewhere, with an opportunity to participate in this rebuilding effort by exercising their voice through the ballot box.

Each election presents our states with many challenges, but never before has there been such great potential for disenfranchisement than in the elections we are facing in the coming year. In Louisiana alone over 400,000 of our registered voters are dispersed in 49 states across the country. Over 53,000 of those citizens have been welcomed into Alabama and Mississippi. Over 250 polling places in our coastal parishes have been destroyed. To date, Louisiana has expended over \$2.5 million in restoration of voting machines and associated equipment alone.

In Mississippi, Katrina's damage was devastating. Though fewer citizens were permanently displaced than in Louisiana, our infrastructure in many communities was completely destroyed or severely damaged, due to storm surge along the coast and hurricane force winds that reached as far as 125 miles inland.

The result of this devastation is that limited county budgets are depleted to deal with debris removal and infrastructure rebuilding, and much of our counties' tax base is destroyed. Much of these diverted county funds would have been used to bring voting precincts up to ADA standards and to purchase new voting machines to meet HAVA requirements this year. Based on surveys from our 43 affected counties, Mississippi's estimated reimbursement need is \$4.2 million dollars for ADA voting precinct compliance and voting machine purchase.

Alabama's Gulf Coast area, and 22 counties which were declared disaster areas following Hurricane Katrina, have a variety of needs to conduct their first election on June 6, 2006. In addition to necessary repairs to make some polling places functional, many counties in this disaster area have used dollars normally allocated for election costs to remove debris, repair infrastructure, etc., and these funds would have been used to upgrade polling place facilities, comply with ADA, provide training, purchase supplies, train polling officials, etc. Alabama's estimated cost for the above needs is 2.3 million.

As Chief Election Officials, we are committed to overcoming these challenges, but to guarantee that each of our citizens has an equal opportunity to participate in the election, we need additional resources that will allow us to be creative in educating our voters, providing opportunities for them to cast meaningful ballots from across the country and rebuild our democratic infrastructure.

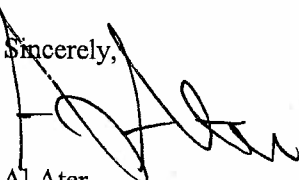
Unfortunately, our requests to the Federal Emergency Management Agency ("FEMA") have been answered by a denial that FEMA has authorization under the Robert T. Stafford Disaster Relief and Emergency Assistance Act to aid us in administering elections. The Stafford Act, however, clearly provides the statutory authority to FEMA to help with necessary election expenses incurred in the wake of a national disaster. 42 U.S.C. §5170a. In fact, when Americans have suffered the results of disasters in the past, FEMA has provided aid and financial support for extraordinary expenses to election officials. For example, in 1992, in the wake of Hurricane Andrew, FEMA provided substantial aid to Miami-Dade County to overcome the obstacles of losing more than 100 polling places. FEMA also provided reimbursement for all of that county's election expenses incurred as a result of Andrew.

We seek assistance from the Senate Homeland Security and Governmental Affairs Committee and the House Homeland Security Committee to help secure necessary funding and assistance from FEMA.

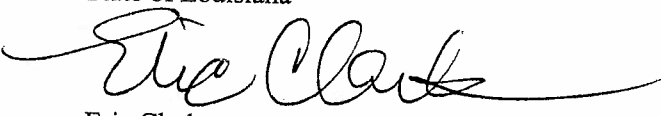
Each of our offices is currently engaged in determining the financial impact of the hurricanes on our respective election system. It is our feeling that we will need \$10 million this year in order to adequately address our voters' additional needs as a result of the storms. In order to most effectively administer election related funding, we encourage a formal liaison between FEMA and the United States Election Assistance Commission (EAC). This relationship will allow essential funds to be directed to the states by the federal agency responsible for issues related to election administration. Consequently, we call on the Senate Rules Committee and the Committee on House Administration to work with the EAC to determine the structure of this necessary relationship. It is our hope that, as a result of this relationship, we will have a procedure for obtaining needed financial resources through a responsive partner.

Time, of course, is of the essence. Voters in Orleans Parish Louisiana will cast ballots on April 22 to elect leaders whose vision will determine the future of New Orleans and its historic neighbors. Starting in the spring and running through the summer, all of our states have primary elections for local and federal offices. Of course, this coming fall, each of our states must administer major federal elections. It is essential to a successful rebuilding process that our citizens have confidence in the outcomes of these elections. Our commitment to this goal is undermined only by our lack of resources.

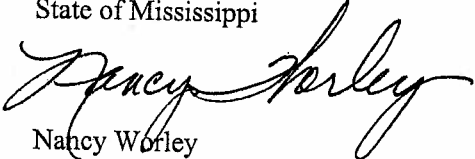
Sincerely,



Al Ater
Secretary of State
State of Louisiana



Eric Clark
Secretary of State
State of Mississippi



Nancy Worley
Secretary of State
State of Alabama



NASS

National Association
of Secretaries of State

NASS Resolution on FEMA Financial Assistance after a Disaster

WHEREAS, In September 2005 the gulf south region of America suffered devastating losses as a result of Hurricanes Katrina and Rita, and

WHEREAS, other geographic areas have in the past and will suffer in the future from devastating disasters whether by act of god or man, that will debilitate the election process, and

WHEREAS, the Secretaries of State and other local election officials in the affected areas will bear substantial additional costs to restore polling places, voting equipment, and other necessary items which will enable them to resume conducting elections, and

WHEREAS, we, the members of the National Association of Secretaries of State (NASS) and the chief state election officials in 39 states, agree that accurate, accessible, and accountable elections are the centerpieces of our democracy, and

WHEREAS, the state and local governments in the affected areas have and will suffer tremendous losses of revenue and have to shoulder additional expenses in the clean up and rehabilitation of their respected areas, and

WHEREAS, the Federal Emergency Management Agency reports that they have no statutory authority to pay for any of these extraordinary expenses, and

WHEREAS, the Federal Emergency Management Agency has provided assistance and financial aid for extraordinary expenses to state and local election officials for conducting elections during past disasters.

THEREFORE BE IT RESOLVED that NASS hereby urges and requests the President and Congress of the United States of America to direct the Federal Emergency Management Agency to deem these extraordinary expenditures as eligible for payment under the Stafford Act and to work with other federal agencies to expediently take appropriate steps to assist those Secretaries of State and local election officials in the affected areas.

Adopted the 5th day of February, 2006
In Washington, DC